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## Gender Pay Gap – Fact or Fiction

This year, April 20<sup>th</sup> marks Equal Pay Day, which is how far into 2010 women must work to earn what men earned in 2009. For 2008, the U.S. Labor Department reported women's median wages to be 79.9 percent of men's wages; African American women earned 67 percent and Hispanic women earned only 56 percent.

Despite extensive research, there is still no agreement concerning the magnitude of the wage gap and why or if it exists. The U.S. General Accounting Office report (GAO-04-35) found that work patterns are key. Women have fewer years of work experience, work fewer hours per year, are less likely to work full-time jobs and leave the labor force for longer periods of time than men. Other factors include industry, occupation, race, marital status and job tenure. Individuals that dispute the gender wage gap cite these reasons as the causes.

One could argue that if fewer years of experience are the cause for the wage gap, then younger male and female workers who have similar years of experience should have equal pay which they do not.

Some might argue that the gender wage gap can be explained by women's preference for jobs that offer more flexible hours and lower pay so that they can stay home and care for their families. While some women take time out of the workforce to care for their children, the majority of women do not. Also equal pay is a problem to varying degrees in every occupational category according to the U.S. Census Bureau. In 2008, the DOL reported that certain occupations showed a significant gap; and according to the GAO, seven out of ten industries

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## Business and Professional Women/PA

Page 2  
Gender Pay Gap

show a widening of the pay gap. To account for fewer hours worked, if hourly wages are examined rather than annual wages, women earn only 83 percent of men's wages.

Marital status is also a factor in the gender wage gap. Women who have never married earn 94.2 percent of their unmarried male counterparts' earnings, while women who were married earned 75.5 percent of their male counterparts' earnings.

It should be noted that the level of education does not have a large impact on the wage gap. For full-time workers aged 25 and older in 2007, the median annual earnings of women with high school, bachelor's, master's or doctoral degrees were between 20-26 percent less than those of men with comparable degrees.

In the GAO report, even after accounting for these key factors that affect earnings, their model could not explain all the differences in earnings between men and women. The U.S. Census Bureau study confirmed that there is a substantial gap in median earnings between men and women that is unexplained even after controlling for work experience, education and occupation. Indications are that between one-quarter and one-half of the gender wage gap remains unexplained.

So why don't we just allow the market and employers to reduce wage discrimination on their own? While the market and employers can play roles, they are not free from sex or race bias. Examples of wage discrimination violations by companies include Texaco, Trigon Blue Cross Blue Shield, US Airways, Corestates Financial Corporation, American University, American Greetings Corporation, Aramark, Fairfax Hospital, Marriott Corporation and others.

Some people opposed to new wage discrimination legislation state that women who have been subjected to wage discrimination should sue for remedies under existing laws. Ask

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www.bpwpa.org

Business and  
Professional  
Women/PA

Page 3  
Gender Pay Gap

Lilly Ledbetter how well that works! Lilly Ledbetter, one of the few female supervisors at a Goodyear plant, was earning 20 percent less than the lowest paid man in the same position when she filed a complaint with EEOC in 1998. Lower court rulings supported her claim and awarded her damages, but the Supreme Court held that her claim was not filed within 180 days of Goodyear's initial discriminatory pay decision and therefore was not valid. The Lilly Ledbetter Fair Pay Act to establish each discriminatory paycheck as a violation of law was signed into law on January 23, 2009.

**Denise Clawson, President of the Pennsylvania Federation of Business and Professional Women's Clubs (BPW/PA)** stated "While early legislation prohibited sex-based wage discrimination and the Lilly Ledbetter Fair Pay Act ensures that victims of discrimination have fair access to the courts, further legislation is still needed to fully close the wage gap. BPW/PA supports both the Fair Pay Act (S. 904, H.R. 2151) and the Paycheck Fairness Act (H.R. 12 and S. 182), which work on different aspects of wage discrimination, as well as Pennsylvania House Resolution 718, which directs the Joint State Government Commission to study workplace pay disparity."

BPW/PA is a leading advocate for working women in the Commonwealth of Pennsylvania. For more information on BPW/PA, visit [www.bpwpa.org](http://www.bpwpa.org).

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